

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**DONNIE G. RUBELL,**

**Plaintiff,**

**v.**

**LOCKHEED MARTIN and TEXAS  
DEPARTMENT OF INSURANCE  
(DIVISION OF WORKERS'  
COMPENSATION),**

**Defendants.**

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**Civil Action No. 7:13-cv-00053-O-KA**

**ORDER ACCEPTING RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files, and records in this case, including the Recommendation of the United States Magistrate Judge (ECF No. 7) and Plaintiff's Motion for Reconsideration (ECF No. 8), the Court is of the opinion that the Recommendation of the United States Magistrate Judge is correct and it is hereby adopted and incorporated by reference as the Findings of the Court.

Plaintiff filed a motion for reconsideration of the Magistrate Judge's order denying Plaintiff leave to proceed *in forma pauperis*. See generally Pl.'s Mot. Recons., ECF No. 8. The Court construes this as an objection to the Recommendation of the United States Magistrate Judge. The Magistrate Judge recommends that the Court dismiss this case for want of jurisdiction because no federal question is presented and complete diversity of citizenship is lacking. See Order Den. Mot. Leave Proceed *in Forma Pauperis* & Recommending Dismissal 1–2, ECF No. 7. Because Plaintiff's

motion fails to establish subject-matter jurisdiction and lacks merit, the Court finds that Plaintiff's motion should be and is hereby **DENIED**.

It is therefore **ORDERED** that the Recommendation of the United States Magistrate Judge is accepted. Accordingly, this case is **DISMISSED** without prejudice for want of jurisdiction. Judgment will be entered by a separate order.

**SO ORDERED** on this **28th day of May, 2013**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE